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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/603,757	06/25/2003	Takehiro Kanou	5258-000019	2165
25944	7590	02/15/2006	EXAMINER	
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			CHAN, KO HUNG	
			ART UNIT	PAPER NUMBER
			3632	
DATE MAILED: 02/15/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/603,757

**Applicant(s)**

KANOU, TAKEHIRO

**Examiner**

Korie H. Chan

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 3,5-11,14-18 and 20-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 3,5-11,14-18 and 20-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

#### ***Claim Rejections - 35 USC § 102***

Claims 3, 7, and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Gretz (US patent no. 6,509,524). Gretz discloses a unit capable of mounted to a vehicle, comprising: a first bracket (56) including a first bolt through-hole (end of slide passage 54) sized to receive a first supporting bolt (52) and a first slide passage (54) extending in a first direction from an outer periphery of the first bracket to the first bolt through-hole, the first slide passage laterally guiding the first supporting bolt toward the first bolt through-hole; and a second bracket (56) including a second bolt through-hole (end of slide passage 54) sized to receive a second supporting bolt (52) and a second slide passage (54) extending in a second direction from an outer periphery of the second bracket to the second bolt through-hole, the second slide passage laterally guiding the second supporting bolt toward the second bolt through-hole; wherein the first direction is perpendicular to the second direction, and the unit is free of any slide passage that extends in a direction opposite to the first direction, and the unit is free of any slide passage that extends in a direction opposite to the second direction.

Applicant's recitation "vehicle mounted unit" is treated as "unit intended to be mounted on a vehicle". As such, a recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the

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prior art structure is capable of performing the intended use, then it meets the claim.

Gretz's unit is capable of being mounted onto a vehicle.

***Claim Rejections - 35 USC § 103***

Claims 3, 7-9, 11, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Prior Art disclosed by applicant in figures 6A-6B (herein referred to as PA) in view of Gretz (US 6,509,524). PA discloses all the claimed features of applicant's invention except for providing perpendicular slide passages for receiving the bolts. To provide slide passages or slots on mounting brackets is notoriously old and well-known in the art. They have the known advantage of attaching and removing the brackets without complete removal of the fastener for temporary retainment or to facilitate quick mounting and removal of the bracket from its support. Gretz teaches in a bracket (12) having perpendicular slide passages (54) for receiving bolts (56). It would have been obvious to one of ordinary skill in the art to have modified the hole mounting of Prior Art such that it is of the slide passage type as taught by Gretz to facilitate the known advantage of quick mount and dismount. Regarding claim 8, it would have been an obvious matter of design choice to provide two of such units.

Claims 5, 6, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Prior Art disclosed by applicant in figures 6A-6B (herein referred to as PA) in view of Gretz (US 6,509,524) as applied to claim 11 above, and further in view of Welch (US patent no. 3,894,377). PA and Gretz combined demonstrated all the claimed features of applicant's invention except for the slide passage inner periphery has resilient tabs at opposite side edges and a latch flange at the periphery of the bolt through-hole. Welch

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teaches a bracket (figure 5) for receiving a screw (30) wherein the bracket has a slide passage inner periphery with resilient tabs (66 and 68, figure 5) at opposite side edges and a latch flange (52, 78, figure 1) at the periphery of the bolt through-hole for engaging the shaft of the screw for locking the bracket to the screw. It would have been obvious to one of ordinary skill in the art to have modify the slide passageway and bolt through-hole periphery of PA and Gretz combined by providing resilient tabs and latch flange therein for locking the bracket with the bolt as taught by Welch.

Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Prior Art disclosed by applicant in figures 6A-6B (herein referred to as PA) in view of Gretz (US 6,509,524) and further in view of Welch (US patent no. 3,894,377). PA and Gretz combined demonstrated all the claimed features of applicant's invention (as discussed similarly in the rejection of claim 11 above) except for the slide passage inner periphery has resilient tabs at opposite side edges and a latch flange at the periphery of the bolt through-hole. Welch teaches a bracket (figure 5) for receiving a screw (30) wherein the bracket has a slide passage inner periphery with resilient tabs (66 and 68, figure 5) at opposite side edges and a latch flange (52, 78, figure 1) at the periphery of the bolt through-hole for engaging the shaft of the screw for locking the bracket to the screw. It would have been obvious to one of ordinary skill in the art to have modify the slide passageway and bolt through-hole periphery of PA and Gretz combined by providing resilient tabs and latch flange therein for locking the bracket with the bolt as taught by Welch.

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Claims 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Prior Art disclosed by applicant in figures 6A-6B (herein referred to as PA) in view of Gretz (US 6,509,524) and Welch (US patent no. 3,894,377) as discussed above, and further in view of Brandt (US patent no. 3,967,049). PA, Gretz and Welch disclosed all the claimed features of applicant's invention except for disclose the flange engages the valley of the thread. Brandt teaches a mounting unit having passage (16) for threaded bolt (18) wherein the passage has a flange (20) engaging the valley of the threads (18). It would have been obvious to one of ordinarily skilled in the art to have modify the flange of PA, Gretz and Welch combined such that the flange engages the valley of the threads as taught by Brandt to increase grip of the bolt.

Claims 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Prior Art disclosed by applicant in figures 6A-6B (herein referred to as PA) in view of Gretz (US 6,509,524) and further in view of Neff et al (US patent no. 4,214,668). PA discloses all the claimed features of applicant's invention except for providing slide passages for receiving the bolts. To provide slide passages or slots on mounting brackets is notoriously old and well-known in the art. They have the known advantage of attaching and removing the brackets without complete removal of the fastener for temporary retainment or to facilitate quick mounting and removal of the bracket from its support. Gretz teaches in a bracket (12) having perpendicular slide passages (54) for receiving bolts (56). It would have been obvious to one of ordinarily skilled in the art to have modify the hole mounting of Prior Art such that it is of the slide passage type as taught by Gretz to facilitate the known advantage of quick mount and dismount.

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PA and Gretz combined does not disclose the unit as being a junction box made of synthetic material for mounting printed circuit board. Neff teaches a junction box (10) made of synthetic material (col. 2, lines 47-49). It would have been obvious to one of ordinary skill in the art to have modify the mounting unit of PA and Gretz combined such that they are of junction box type made of synthetic material as taught by Neff for mounting electrical devices.

Regarding applicant's intended use of "printed circuit board junction box" which is interpreted as for mounting printed circuit board, the vehicle mounted unit of PA, Gretz and Neff combined is capable of mounting printed circuit board.

### ***Response to Arguments***

Applicant's arguments filed 11/15/2005 have been fully considered but they are not persuasive. In response to applicant's argument that the slide passage of Gretz is disclosed as advantageous for freeing the installer's hands while plate is slide into the screw while applicant has invented the slide passage configuration for a different reason, the fact that applicant has recognized another advantage which would flow naturally from following the suggestion of the prior art cannot be the basis for patentability when the differences would otherwise be obvious. See *Ex parte Obiaya*, 227 USPQ 58, 60 (Bd. Pat. App. & Inter. 1985).

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Korie H. Chan whose telephone number is 571-272-6816. The examiner can normally be reached on Monday - Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on 571-272-6788. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Korie H. Chan  
Primary Examiner  
Art Unit 3632

Khc  
Feb. 2, 2006